

BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. TEN

8601 MIDCROWN
SAN ANTONIO, TEXAS 78239-2445

REGULAR BOARD MEETING MINUTES
JANUARY 30, 2019

- I. CALL REGULAR BOARD MEETING TO ORDER AND TAKE ATTENDANCE AND PLEDGE OF ALLEGIANCE: The Regular Board Meeting of January 30, 2019, was called to order at 6:30 p.m. by the President of the Board, Ms. Alexander, at the City of Windcrest Council Chambers, 8601 Midcrown Drive, Windcrest, Texas, for the purpose of considering the following agenda. The Board's President determined that a quorum was present. Board members present were Ms. Alexander, Ms. Snead, Ms. Scheibler and Mr. Richards. Also, in attendance were Ruben Barrera, Attorney, David Wallace, General Manager, Leonard Young, Engineer. Mr. Guerrero was absent.
- II. **ANNOUNCEMENTS:** THE BOARD OF DIRECTORS OF THE BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 10 WILL, DURING THE MEETING, CLOSE THE MEETING AND HOLD AN EXECUTIVE SESSION PURSUANT TO AND IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS OPEN MEETINGS ACT. THE BOARD OF DIRECTORS MAY, AT ANY TIME DURING THE MEETING, CLOSE THE MEETING AND HOLD AN EXECUTIVE SESSION FOR CONSULTATION WITH ITS ATTORNEYS CONCERNING ANY OF THE MATTERS TO BE CONSIDERED DURING THE MEETING PURSUANT TO CHAPTER 441 OF THE TEXAS OPEN MEETINGS ACT.
- III. READ, CORRECT/AMEND, AND APPROVE THE REGULAR BOARD MEETING MINUTES OF DECEMBER 13, 2018. Ms. Snead made a motion to approve the minutes as written. This was seconded by Ms. Scheibler. Motion Passes.
- 4 YES 0 ABSTAIN 0 NO 1 ABSENT
- IV. ACCEPT VISITOR COMMENTS (STRICT 5 MINUTE TIME LIMIT PER VISITOR). VISITORS THAT WISH TO SPEAK MUST SIGN IN ON THE SIGN-UP SHEET LOCATED AT THE DOORWAY. VISITORS MUST SIGN IN BEFORE THE MEETING BEGINS. VISITOR COMMENT WILL NOT BE ALLOWED / ACCEPTED AFTER THIS TIME.

PUBLIC COMMENT SESSION OF MEETING

The Board will now open the floor to members of the public for the "Open Form - Citizens to be Heard" portion of our meeting. Individuals will be called in the order they registered on the sign-in sheet prior to the beginning of the meeting. While the Board welcomes comments and participation from the public, please be advised of the following guidelines:

- 1. Remarks shall be limited to five (5) minutes per individual.*
- 2. Remarks or comments should be directed to the entire Board and not to one individual member of the Board.*
- 3. The Board strives to maintain open, courteous and respectful communications with the public. Please extend the same courtesy to the Board when addressing your remarks.*

The Board further expects that all members of the public shall exercise decorum during the conduct of the meeting. Any individual engaging in disruptive behavior, including shouting, the use of vulgar language or gestures, or derogatory comments and statements intended to incite a breach of the peace, may be asked to leave the meeting.

Pursuant to Section 551.042 of the Texas Open Meetings Act, the Board may not deliberate or decide on any inquiry or concern raised by a member of the public or member of the board that has not been posted on the agenda. The Board may, however, consider a proposal to place the subject on the agenda item for a future meeting, or respond to a question presented to the Board if the response is limited to either a statement of specific factual, information or a recitation of existing policy.

VISITOR SPEAKERS: Mr. Lambrides made comments regarding the alleys and garbage trucks.

V. CONSENT AGENDA ITEMS:

A. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO RENEW THE CERTIFICATE OF DEPOSIT WITH RANDOLPH BROOKS FEDERAL CREDIT UNION (RBFCU) IN THE AMOUNT OF \$50,000.00 WITH A MATURITY DATE OF FEBRUARY 1, 2019, AND TO DEPOSIT ANOTHER \$50,000.00 FROM THE DISTRICT'S FROST BANK OPERATING ACCOUNT, INTO RBFCU TO INCREASE THE CERTIFICATE OF DEPOSIT TO A TOTAL AMOUNT OF \$100,000.00 FOR A TWO YEAR PERIOD.

B. THE BOARD WILL DELIBERATE AND MAY TAKE ACTION ON A RESOLUTION RATIFYING THE GENERAL MANAGER'S EXPENDITURES IN THE AMOUNT OF \$37,159.00 AND PAID TO ADVANCED WATER WELL TECHNOLOGIES FOR THE EMERGENCY REPAIR OF THE DISTRICT'S WELL #3 MOTOR & PUMP.

C. THE BOARD WILL DISCUSS AND MAY TAKE ACTION ON A RESOLUTION ADOPTING THE SAWS 2019 SEWER RATE.

Ms. Scheibler made a motion to approve the Consent Agenda items. This was seconded by Ms. Snead.

4 YES 0 ABSTAIN 0 NO 1 ABSENT

VI. ITEMS FOR INDIVIDUAL CONSIDERATION:

A. A PRESENTATION BY THE GENERAL MANAGER AND THE DISTRICT'S ENGINEER REGARDING AN UPDATE OF THE DISTRICT'S 2018 AND 2019 CAPITAL IMPROVEMENTS PLAN; AND BOARD DELIBERATION REGARDING AN UPDATE OF THE DISTRICT'S 2018 AND 2019 CAPITAL IMPROVEMENT PLAN. Mr. Young provided an update.

B. THE DISTRICT'S GENERAL MANAGER WILL PROVIDE INFORMATION ON THE BOARD'S REQUEST TO INVESTIGATE A NOTIFICATION SYSTEM THAT COULD ALERT THE DISTRICT'S CUSTOMERS OF DISTRICT EMERGENCIES AND GENERAL DISTRICT NOTIFICATIONS; WITH BOARD DELIBERATION REGARDING A NOTIFICATION SYSTEM FOR THE BENEFIT OF THE DISTRICT'S CUSTOMERS. Mr. Wallace stated that the District will implement three (3) methods to insure that customers have updated information. 1) The District will be sending out a newsletter updating customers on the upcoming CIP. Once the CIP is underway, the contractor and engineer will notify those customers, on a daily basis, who will be directly affected. 2) The Office staff will update the website with any emergency information. 3) The office staff will program the afterhours phone system message machine to direct customers to our website for further information.

C. THE BOARD WILL DELIBERATE ACTIONS THAT MIGHT BE TAKEN TO ENSURE THAT CIP REPAIRS TO THE ALLEYS ARE SUSTAINABLE UNDER GARBAGE TRUCK USE. The Board Discussed this issue. The General Manager and the District's Engineer ensured the Board that the materials that will be put in place will be substantial enough to sustain alley traffic.

VII. BRIEFING SESSION

A. STATEMENT OF OPERATIONS AND INVESTMENT REPORT. SUMMARY OF INCOME AND EXPENSES FOR PREVIOUS MONTH. IN-DEPTH REPORT ON AREAS THAT EXPERIENCED SIGNIFICANTLY HIGHER OR LOWER LEVELS THAN EXPECTED. UPDATE ON INVESTMENTS, INCLUDING BALANCES, RATES OF RETURN, MATURITY DATES, AND MARKET CONDITIONS.

1. STATEMENT OF OPERATIONS: DECEMBER 2018
 - a. Operating Revenue: \$159,315.46
 - b. Operating Expenses: \$186,464.36
 - c. Operating Income (\$27,148.90)
 - d. Non-Operating Income \$1,472.71 (Interest Income)
 - e. Total Income (\$25,676.19)

2. INVESTMENT REPORT:
 - a. Operating Account Balance \$ 555,217.61
 - b. Investments: \$ 899,888.45
 - c. Grand Total \$1,743,436.04

B. MANAGER'S REPORT. SUMMARY OF SIGNIFICANT ACTIVITY THAT AFFECTED OPERATIONS OR HAS POTENTIAL OF AFFECTING OPERATIONS. INCLUDES PERSONNEL UPDATE, SIGNIFICANT EXPENDITURES, WEATHER CONDITIONS, CAPITAL IMPROVEMENT PROJECT STATUS, OPERATIONAL STATISTICS, AND RESPONSES TO INQUIRIES FROM THE BOARD AND / OR VISITORS.

1. SIGNIFICANT EXPENDITURES: (OVER \$5,000)

SAWS	Sewer Service / December 2018	\$63,860.92
EAA	Management / Program Fee	\$ 9,275.00
2. Water Usage Update: Our current pumpage for December 2018 was 21,077 gals, Total pumpage for the year is 950.00 acre/ft. Total Edwards permit 1625.00 acre/ft. The Edwards Aquifer is currently around 885.00 ft. We are in NORMAL Restrictions. We are currently pumping 650,000 gal/per/day.
3. We are still replacing old water meters that no longer function. This will be a normal operational procedure. The meter change-out program is on schedule to replace 200 residential meters this year. Still replacing bad curb-stops on meter change outs.
4. Working with the Engineers, Financial Advisors and Bond Counsel on 2018 - 2019 Capital Improvement Project plans. Final stages bidding out Electrical work on Wells 2 & 4.
5. Well #3 is now complete and in service.
6. Working on repairs of yards and sidewalks caused by water main breaks.

VIII. THE REGULAR SESSION OF THE JANUARY 30, 2019, REGULAR BOARD MEETING IS HEREBY RECESSED TO HOLD AN EXECUTIVE SESSION AND DISCUSS THE MATTERS LISTED BELOW PURSUANT TO SECTIONS 551.071, 552.072 AND 552.074 OF THE TEXAS OPEN MEETINGS ACT. The Board did not go into Executive Session.

IX. EXECUTIVE SESSION

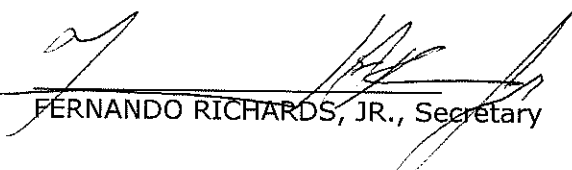
A. TO DELIBERATE THE EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE DISTRICT'S EMPLOYEES, AS AUTHORIZED BY TEXAS GOVERNMENT CODE 551.074.


B. CONSULTATION WITH THE DISTRICT'S LEGAL COUNSEL ON LEGAL ISSUES RELATING TO THE INTERLOCAL COOPERATION CONTRACT BY AND BETWEEN CITY OF WINDCREST, TEXAS AND BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT #10.

C. THE BOARD WILL CONSULT WITH THE DISTRICT'S LEGAL COUNSEL IN A CLOSED SESSION, AS AUTHORIZED BY TEXAS GOVERNMENT CODE § 551.071(2), TO DISCUSS AND SEEK ADVICE UPON ONE OR MORE MATTER(S) IN WHICH THE DUTY OF THE ATTORNEY TO THE DISTRICT UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

****As Used Herein, "Closed Meeting" Shall Have The Definition Ascribed To That Term By Texas Government Code § 551.001. As Required By Texas Government Code § 551.102, The Final Action, Decision, Or Vote On A Matter Deliberated In A Closed Meeting Will Be Made In An Open Meeting****

- X. THE REGULAR SESSION OF THE REGULAR BOARD MEETING OF JANUARY 30, 2019, IS HEREBY RECONVENED. The Board did not go into Executive Session.
- XI. OTHER BUSINESS BROUGHT BEFORE THE BOARD. (NO DELIBERATIONS AND / OR DECISION WILL OCCUR EXCEPT TO PLACE THE SUBJECT ON THE AGENDA FOR THE NEXT SCHEDULED BOARD MEETING AND GIVE STAFF TIME TO EVALUATE AND MAKE RECOMMENDATIONS. Mr. Wallace mentioned that the Board will need to address the Edwards Aquifer Authority Agreement as well as the Sale of Revenue Notes.
- XII. ADJOURNMENT. The Bexar County Water Control and Improvement District No. 10 Board of Directors Meeting of January 30, 2019 is hereby adjourned at 7:37 p.m.


FERNANDO RICHARDS, JR., Secretary

 Date: 2/26/19
BERTIE S ALEXANDER, President